

REMARKS/ARGUMENTS

This amendment and response is intended to be a complete response to the Office Action of December 20, 2003 and the case is believed to be in condition for allowance. The application was inadvertently abandoned for failure to respond to this office action by the required deadline. This Office Action response accompanies a petition to revive. Accordingly, reconsideration is respectfully requested.

Status of the Claims

Claims 1 and 3 were rejected in the Office Action. Claims 4 and 5 are added herein. Claims 1 and 3 are amended herein. Claims 1, and 3-5 are now pending in the application.

The ClaimsClaim objection

Claim 1 was objected to for certain informalities (Office Action, Paragraph 2). Claim 1 has been amended. The objection is now moot.

35 USC 102

Claims 1 and 3 were rejected under 35 U.S.C. 102(e) as being anticipated by Drupsteen et al. (U.S. Patent Number 5,856,659). Applicants traverse the rejection.

Anticipation under 35 U.S.C. 102(e) requires that each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.

Applicants' invention solves a problem of loading a file made up of multiple blocks (BLK1 – BLKn) to a portable memory object from multiple transmitting devices (EM1 – Emp). The invention deals with the problem of having such loading of a computer program interrupted when the communication from one transmitting device is interrupted. The communication can then resume from another one (or the same one) of the transmitting devices. According to the invention a count of which block is being loaded is maintained by the memory object. This permits an interrogation of the card

when the communication is resumed by the other transmitting device as to which block to resume loading from and resumption of loading from that transmitting device beginning with that block.

Drupsteen does not deal with loading a computer program from multiple transmitting devices. Drupsteen does not mention any problem relating to interruption when a contactless memory object is moved out of range of one transmitting device and into the range of another transmitting device or any similar problem dealing with downloading a program to a memory object from multiple transmitting devices. Therefore, it is not surprising that Drupsteen fails to teach or suggest a solution to that problem and even less surprising that Drupsteen fails to teach or suggest applicant's novel and non-obvious solution as claimed.

For example, Drupsteen does not teach or suggest:

"in response to establishing of communication between one of the transmitting devices EM<sub>k</sub> and the card, wherein k is in the range 1 through p:

- interrogating the card as to which block to resume loading, and
- resuming the loading of the blocks is resumed from block i from transmitting device EM<sub>k</sub>" (Claim 1).

Because Drupsteen fails to teach or suggest at least these elements, Claim 1 is patentable over Drupsteen. Accordingly, Claim 1 should be allowed.

The other pending claims all depend from Claim 1, incorporate the limitations of Claim 1, provide further unique and non-obvious combinations, and are therefore patentable for the reasons given in support of Claim 1 and by virtue of such other combinations. Accordingly, the dependent claims are patentable and should be allowed.

### CONCLUSION

It is submitted that all of the claims now in the application are allowable. Applicants respectfully request reconsideration of the application and claims and its early allowance. If the Examiner believes that the prosecution of the application would be

facilitated by a telephonic interview, Applicants invite the Examiner to contact the undersigned at the number given below.

Respectfully submitted,



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Date: November 8, 2004.

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